

APPROVED MINUTES
FLATHEAD COUNTY PLANNING BOARD
February 8, 2023

Notice: These minutes are paraphrased to reflect the proceedings of the Flathead County Planning Board, per MCA 2-3-212

A meeting of the Flathead County Planning Board was called to order at approximately 6:00 p.m. in 2nd Floor Conference Room of the South Campus Building, 40 11th Street West, Suite 200 Kalispell, Montana. Board members present were Jeff Larsen, Greg Stevens, Verdell Jackson, Sandra Nogel, Elliot Adams, and Buck Breckenridge. Gary Votapka, Gordan Ash, and Kevin Lake had excused absences. Erik Mack, Larissa Van Riet, Erin Appert, and Zachary Moon represented the Flathead County Planning & Zoning Office.

There were 44 members of the public in attendance at the meeting.

[05:59:47 PM \(00:00:04\)](#)

A. Call to order and roll call

[Citizen Member - Elliot Adams: Present](#)

[Citizen Member - Gary Votapka: Absent](#)

[Citizen Member - Greg Stevens: Present](#)

[Citizen Member - Jeff Larsen: Present](#)

[Citizen Member - Kevin Lake: Absent](#)

[Citizen Member - Sandra Nogal: Present](#)

[Citizen Member - Verdell Jackson: Present](#)

[Citizen Member - Buck Breckenridge: Present](#)

[FCD Representative - Gordon Ash: Absent](#)

[05:59:58 PM \(00:00:16\)](#)

B. Pledge of Allegiance

[06:00:19 PM \(00:00:37\)](#)

C. Approval of the January 11, 2023 meeting minutes

[Citizen Member - Sandra Nogal: Motion](#)

[Citizen Member - Verdell Jackson: 2nd](#)

[Citizen Member - Elliot Adams: Abstain](#)

[Citizen Member - Gary Votapka: Absent](#)

[Citizen Member - Greg Stevens: Approve](#)

[Citizen Member - Jeff Larsen: Approve](#)

[Citizen Member - Kevin Lake: Absent](#)

[Citizen Member - Sandra Nogal: Approve](#)

[Citizen Member - Verdell Jackson: Approve](#)

[Citizen Member - Buck Breckenridge: Approve](#)

[FCD Representative - Gordon Ash: Absent](#)

[06:01:03 PM \(00:01:21\)](#)

D. Public comment on public matters that is within the jurisdiction of the Planning Board (2-3-103 M.C.A.)

[06:01:28 PM \(00:01:46\)](#)

E. Board members disclose any conflict of interests

Elliot Adams abstained from FZC-22-26, as he was not present for the Public Hearing.

F. Public Hearings: The Flathead County Planning Board will hold a public hearing on the following agenda item. Following the hearing and Board discussion, the Board may make a recommendation to the Board of County Commissioners for final action:

[06:02:33 PM \(00:02:50\)](#)

1. **FZC-22-26** A zone change request from APEC Engineering, on behalf of Montarise Developments, LLC for property within the Prairie View and Highway 93 North Zoning Districts. The proposal would change the zoning on three parcels of land located north of KM Ranch Road near Whitefish, MT from *SAG-5 (Suburban Agricultural)* to *R-2.5 (Rural Residential)*. The total acreage involved is approximately 155.9 acres. **THE PUBLIC HEARING FOR THIS AGENDA ITEM HAS BEEN CLOSED.**



[Staff Report](#)



[Application](#)



[Vicinity Map](#)

[06:03:11 PM \(00:03:29\)](#)

Motion to take FZC-22-26 off the Table

Motioned by Greg Stevens

Seconded by Verdell Jackson

[06:04:34 PM \(00:04:52\)](#)

Motion to Adopt Staff Report FZC-22-26 as Findings-of-Fact

[Citizen Member - Greg Stevens: Motion](#)

[Citizen Member - Verdell Jackson: 2nd](#)

[Citizen Member - Elliot Adams: Abstain](#)

[Citizen Member - Gary Votapka: Absent](#)

[Citizen Member - Greg Stevens: Approve](#)

[Citizen Member - Jeff Larsen: Approve](#)

[Citizen Member - Kevin Lake: Absent](#)

[Citizen Member - Sandra Nogal: Disapprove](#)

[Citizen Member - Verdell Jackson: Approve](#)

[Citizen Member - Buck Breckenridge: Approve](#)

[FCD Representative - Gordon Ash: Absent](#)

[06:05:02 PM \(00:05:20\)](#)

Motion to forward a negative recommendation for FZC-22-26 to the Board of County Commissioners

[Citizen Member - Greg Stevens: Motion](#)

[Citizen Member - Buck Breckenridge: 2nd](#)

[Citizen Member - Elliot Adams: Abstain](#)

[Citizen Member - Gary Votapka: Absent](#)

[Citizen Member - Greg Stevens: Approve](#)

[Citizen Member - Jeff Larsen: Approve](#)

[Citizen Member - Kevin Lake: Absent](#)

[Citizen Member - Sandra Nogal: Approve](#)

[Citizen Member - Verdell Jackson: Approve](#)

[Citizen Member - Buck Breckenridge: Approve](#)

[FCD Representative - Gordon Ash: Absent](#)

[06:12:26 PM \(00:12:44\)](#)

2. **FPP-22-30** A request from Caitlin Spratling, with technical assistance from Sands Surveying, Inc., and Core Water Consulting, for preliminary plat approval of River Meadows Subdivision, a proposal to create six (6) residential lots on 40.002 acres. The proposed lots would be served by individual septic systems and individual wells. The property is located at 124 & 166 Glacier Flats Road, near Kalispell, MT.



[Staff Report](#)



[Application](#)



[Vicinity Map](#)

Erin Appert reviewed Staff Report FPP-22-30 for the Board.

Applicant:

Donna Valade, 2 Village Loop, Sands Surveying, agrees with Staff Report, Findings of Facts, and Conditions.

Public Agency:

Ian McKay, 569 Birch Grove Rd., Flathead County Municipal Airport Authority, requests a plat note as the property is in close proximity to the airport.

Public Comment:

Kevin Fritz 141 Birch Grove Road, spoke in opposition of the proposal. He has concerns about the property's wetlands. He also has concerns of water well contamination.

Chris Fritz 315 Mountain Peaks Trail, spoke in opposition of the proposal. He is the previous tenant of this property. He spoke about the property flooding every year and to water well contamination. He also has concerns of traffic at the nearby intersection and the railroad crossing.

Kari Mackin, 2212 Helena Flats, Helena Flats Land Use Advisor Committee member, committee does not currently have a quorum. She spoke in opposition of the proposal. She spoke to concerns of water quality and the aquafir. Presented a map to Board referencing the aquafir. She spoke to concerns of the quality of life and the quality of well water with all the development of the farm lands.

Applicant Rebuttal:

Donna Valade, the applicants are aware of the high ground water in this area. She stated that the reason the lots are odd shaped is to accommodate the wetlands.

Trent Spratling, 2925 Rufenach Lane, they have completed a ground water monitoring within the last year. Agrees there is highwater. Completed the Flathead County ground water monitoring. They have done more then what was required.

06:33:15 PM (00:33:32)

Motion to Adopt Staff Report FPP-22-30 as Findings-of-Fact

Citizen Member - Buck Breckenridge: Motion

Citizen Member - Verdell Jackson: 2nd

Citizen Member - Elliot Adams: Approve

Citizen Member - Gary Votapka: Absent

Citizen Member - Greg Stevens: Approve

Citizen Member - Jeff Larsen: Approve

Citizen Member - Kevin Lake: Absent

Citizen Member - Sandra Nogal: Approve

Citizen Member - Verdell Jackson: Approve

Citizen Member - Buck Breckenridge: Approve

FCD Representative - Gordon Ash: Absent

06:41:29 PM (00:41:47)

Motion to Amend Condition #21 for FPP-22-30 of the Findings of Facts.

Citizen Member - Sandra Nogal: Motion

Citizen Member - Elliot Adams: 2nd

Citizen Member - Elliot Adams: Approve

Citizen Member - Gary Votapka: Absent

Citizen Member - Greg Stevens: Approve

Citizen Member - Jeff Larsen: Approve

Citizen Member - Kevin Lake: Absent

Citizen Member - Sandra Nogal: Approve

Citizen Member - Verdell Jackson: Approve

Citizen Member - Buck Breckenridge: Approve

FCD Representative - Gordon Ash: Absent

[06:45:02 PM \(00:45:20\)](#)

Motion to forward a positive recommendation for FPP-22-30 to the Board of County Commissioners as amended

[Citizen Member - Buck Breckenridge: Motion](#)

[Citizen Member - Elliot Adams: 2nd](#)

[Citizen Member - Elliot Adams: Approve](#)

[Citizen Member - Gary Votapka: Absent](#)

[Citizen Member - Greg Stevens: Approve](#)

[Citizen Member - Jeff Larsen: Approve](#)

[Citizen Member - Kevin Lake: Absent](#)

[Citizen Member - Sandra Nogal: Approve](#)

[Citizen Member - Verdell Jackson: Approve](#)

[Citizen Member - Buck Breckenridge: Approve](#)

[FCD Representative - Gordon Ash: Absent](#)

[06:46:25 PM \(00:46:42\)](#)

3. **FPP-22-31** A request from Freedom Group of Montana LLC, with technical assistance from Sands Surveying, Inc., and Water & Environmental Technologies, for preliminary plat approval of Freedom Group of Montana Subdivision, a proposal to create twelve (12) residential lots on 15.438 acres. The proposed lots would be served by individual septic systems and shared wells. The property is located off Helena Flats Road, south of Reserve Drive, near Kalispell, MT.



[Staff Report](#)



[Application](#)



[Vicinity Map](#)

Larissa Van Riet reviewed Staff Report FPP-22-31 for the Board.

Applicant:

Donna Valade, Sands Surveying, 2 Village Loop, applicants agree with staff report. Wetland Delineation has already been completed. Has concerns with the Evergreen School District's request for a paved bike path. This subdivision is in two separate school districts. Applicants have concerns about the path that connects to nothing and goes nowhere. Requesting to remove the Wetland Delineation condition and the condition of paving a portion of the property for a path that goes to nowhere.

Public Agency:

None

Public Comment:

None

[07:04:58 PM \(01:05:16\)](#)

Motion to revise Finding #10 of Staff Report for FPP-22-31

[Citizen Member - Buck Breckenridge: Motion](#)

[Citizen Member - Sandra Nogal: 2nd](#)

[Citizen Member - Elliot Adams: Approve](#)

[Citizen Member - Gary Votapka: Absent](#)

[Citizen Member - Greg Stevens: Approve](#)

[Citizen Member - Jeff Larsen: Approve](#)

[Citizen Member - Kevin Lake: Absent](#)

[Citizen Member - Sandra Nogal: Approve](#)

[Citizen Member - Verdell Jackson: Approve](#)

[Citizen Member - Buck Breckenridge: Approve](#)

[FCD Representative - Gordon Ash: Absent](#)

[07:06:49 PM \(01:07:07\)](#)

Motion to Adopt Staff Report FPP-22-31 as Findings-of-Fact as amended

[Citizen Member - Buck Breckenridge: Motion](#)

[Citizen Member - Verdell Jackson: 2nd](#)

[Citizen Member - Elliot Adams: Approve](#)

[Citizen Member - Gary Votapka: Absent](#)

[Citizen Member - Greg Stevens: Approve](#)

[Citizen Member - Jeff Larsen: Approve](#)

[Citizen Member - Kevin Lake: Absent](#)

[Citizen Member - Sandra Nogal: Approve](#)

[Citizen Member - Verdell Jackson: Approve](#)

[Citizen Member - Buck Breckenridge: Approve](#)

[FCD Representative - Gordon Ash: Absent](#)

[07:14:04 PM \(01:14:22\)](#)

Motion to revise Condition #21 of Staff Report for FPP-22-31

[Citizen Member - Sandra Nogal: Motion](#)

[Citizen Member - Elliot Adams: 2nd](#)

[Citizen Member - Elliot Adams: Approve](#)

[Citizen Member - Gary Votapka: Absent](#)

[Citizen Member - Greg Stevens: Approve](#)

[Citizen Member - Jeff Larsen: Approve](#)

[Citizen Member - Kevin Lake: Absent](#)

[Citizen Member - Sandra Nogal: Approve](#)

[Citizen Member - Verdell Jackson: Approve](#)

[Citizen Member - Buck Breckenridge: Approve](#)

[FCD Representative - Gordon Ash: Absent](#)

[07:15:35 PM \(01:15:53\)](#)

Motion to revise Condition #24 of Staff Report for FPP-22-31

[Citizen Member - Buck Breckenridge: Motion](#)

[Citizen Member - Sandra Nogal: 2nd](#)

[Citizen Member - Elliot Adams: Approve](#)

[Citizen Member - Gary Votapka: Absent](#)

[Citizen Member - Greg Stevens: Approve](#)

[Citizen Member - Jeff Larsen: Approve](#)

[Citizen Member - Kevin Lake: Absent](#)

[Citizen Member - Sandra Nogal: Approve](#)

[Citizen Member - Verdell Jackson: Approve](#)

[Citizen Member - Buck Breckenridge: Approve](#)

[FCD Representative - Gordon Ash: Absent](#)

[07:18:14 PM \(01:18:32\)](#)

Motion to forward a positive recommendation for FPP-22-31 to the Board of County Commissioners as amended

[Citizen Member - Buck Breckenridge: Motion](#)

[Citizen Member - Verdell Jackson: 2nd](#)

[Citizen Member - Elliot Adams: Approve](#)

[Citizen Member - Gary Votapka: Absent](#)

[Citizen Member - Greg Stevens: Approve](#)

[Citizen Member - Jeff Larsen: Approve](#)

[Citizen Member - Kevin Lake: Absent](#)

[Citizen Member - Sandra Nogal: Approve](#)

[Citizen Member - Verdell Jackson: Approve](#)

[Citizen Member - Buck Breckenridge: Approve](#)

[FCD Representative - Gordon Ash: Absent](#)

[07:19:10 PM \(01:19:28\)](#)

4. **FPP-22-32** A request from Sands Surveying, Inc., on behalf of Brent Young and Garrett Yarde, for preliminary plat approval of Shadow Mountain Estates, a proposal to create 20 residential lots on 15.44 acres. The proposed lots would be served by individual septic systems and individual wells. The property is located at 403 Helena Flats Road, near Kalispell, MT.



[Staff Report](#)



[Application](#)



[Vicinity Map](#)

Zachary Moon reviewed Staff Report FPP-22-32 for the Board.

Applicant:

Donna Valade, Sands Surveying, 2 Village Loop, applicants applied for a zone change about a year ago. Applicants agree with staff report. Applicants have concerns about the path that connects to nothing and goes nowhere. Referenced same concerns as FPP-22-31 application previously presented to the Board.

Public Agency:

None

Public Comment:

George Yeats, 430 White Birch Lane, spoke in opposition of the proposal. He has some concern with the ground water. This subdivision will have 20 septic tanks and the water flows towards his property. He has concerns as to the road and its safety. The need for a bike path is necessary, as the road is dangerous. Board needs to look at the safety of putting in the subdivision.

07:27:07 PM (01:27:25)

Motion to Revise finding #10

Citizen Member - Buck Breckenridge: Motion

Citizen Member - Sandra Nogal: 2nd

Citizen Member - Elliot Adams: Approve

Citizen Member - Gary Votapka: Absent

Citizen Member - Greg Stevens: Approve

Citizen Member - Jeff Larsen: Approve

Citizen Member - Kevin Lake: Absent

Citizen Member - Sandra Nogal: Approve

Citizen Member - Verdell Jackson: Approve

Citizen Member - Buck Breckenridge: Approve

FCD Representative - Gordon Ash: Absent

07:27:45 PM (01:28:03)

Motion to Adopt Staff Report FPP-22-32 as Findings-of-Fact as amended

Citizen Member - Buck Breckenridge: Motion

Citizen Member - Verdell Jackson: 2nd

Citizen Member - Elliot Adams: Approve

Citizen Member - Gary Votapka: Absent

Citizen Member - Greg Stevens: Approve

Citizen Member - Jeff Larsen: Approve

Citizen Member - Kevin Lake: Absent

Citizen Member - Sandra Nogal: Approve

Citizen Member - Verdell Jackson: Approve

Citizen Member - Buck Breckenridge: Approve

FCD Representative - Gordon Ash: Absent

[07:28:51 PM \(01:29:09\)](#)

Motion to revise condition #21

[Citizen Member - Sandra Nogal: Motion](#)

[Citizen Member - Buck Breckenridge: 2nd](#)

[Citizen Member - Elliot Adams: Approve](#)

[Citizen Member - Gary Votapka: Absent](#)

[Citizen Member - Greg Stevens: Approve](#)

[Citizen Member - Jeff Larsen: Approve](#)

[Citizen Member - Kevin Lake: Absent](#)

[Citizen Member - Sandra Nogal: Approve](#)

[Citizen Member - Verdell Jackson: Approve](#)

[Citizen Member - Buck Breckenridge: Approve](#)

[FCD Representative - Gordon Ash: Absent](#)

[07:33:21 PM \(01:33:39\)](#)

Motion to forward a positive recommendation for FPP-22-32 to the Board of County Commissioners as amended

[Citizen Member - Buck Breckenridge: Motion](#)

[Citizen Member - Elliot Adams: 2nd](#)

[Citizen Member - Elliot Adams: Approve](#)

[Citizen Member - Gary Votapka: Absent](#)

[Citizen Member - Greg Stevens: Approve](#)

[Citizen Member - Jeff Larsen: Approve](#)

[Citizen Member - Kevin Lake: Absent](#)

[Citizen Member - Sandra Nogal: Approve](#)

[Citizen Member - Verdell Jackson: Approve](#)

[Citizen Member - Buck Breckenridge: Approve](#)

[FCD Representative - Gordon Ash: Absent](#)

G. Old Business

[07:34:07 PM \(01:34:25\)](#)

1. Short Term Rentals Amendment - Erik Mack will bring forward a Text Amendment for the April Planning Board.

[07:49:14 PM \(01:49:32\)](#)

2. Subdivision Regulations - Dust Abatement Program proposed revisions – Language of revisions will be further discussed at March Planning Board.

[08:09:21 PM \(02:09:39\)](#)

H. New Business

[08:09:26 PM \(02:09:44\)](#)

I. Adjournment

Approved on 3/08/2023 on a Roll Call Vote 5 to 1 - Votapka Abstained